

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT
TRANSLATION

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		See form PCT/ISA/210 <i>Date of mailing (day/month/year)</i>
Applicant's or agent's file reference 63218		FOR FURTHER ACTION <i>See paragraph 2 below</i>
International application No. PCT/EP2004/052761	International filing date (day/month/year) 03.11.2004	Priority date (day/month/year) 04.11.2003
International Patent Classification (IPC) or both national classification and IPC G08G5/04, G01C23/00, G05D1/02		
Applicant TALES		

<p>1. This opinion contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>
<p>2. FURTHER ACTION</p> <p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p> <p>3. For further details, see notes to Form PCT/ISA/220.</p>

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2004/052761

Box No. I	Basis of this opinion
<p>1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>	
<p>2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>	
<p>3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>	
<p>4. Additional comments:</p>	

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International application No.
PCT/EP2004/052761

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																									
<p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td>1-5</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td>1-5</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>1-5</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> </table>			Novelty (N)	Claims	1-5	YES		Claims		NO	Inventive step (IS)	Claims	1-5	YES		Claims		NO	Industrial applicability (IA)	Claims	1-5	YES		Claims		NO
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<p>2. Citations and explanations:</p> <p>Reference is made to the following document:</p> <p>D1: US-A-5 548 515 (PILLEY LOIS V ET AL) 20 August 1996 (1996-08-20).</p> <p>Document D1, which is considered to be the most relevant prior art, discloses (cf. the abstract and the claims) a method for monitoring aircraft progress with respect to a flight plan, from which the subject matter of claim 1 differs in that the aircraft not only transmits the current positions provided by the flight management system to a central authority but also the co-ordinates of pseudo way points marking the start of a transition and the associated local flight stresses defining the properties of said transition.</p> <p>It follows that the subject matter of claim 1 is novel (PCT Article 33(2)).</p> <p>The problem that the present invention is intended to solve can therefore be considered to be that of transmitting the co-ordinates of a transition-marking</p>																										

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

pseudo way point to a control authority, which coordinates are then used by said control authority to enhance the estimation of the current position of the aircraft.

The solution to this problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)), for the following reasons:

The transmission of pseudo way points in addition to the actual positions of the aircraft in order to enhance the estimation of the current position cannot be derived in an obvious manner from the prior art.

Claims 2-5 are dependent on claim 1 and, as such, therefore also fulfil the PCT requirements of novelty and inventive step.